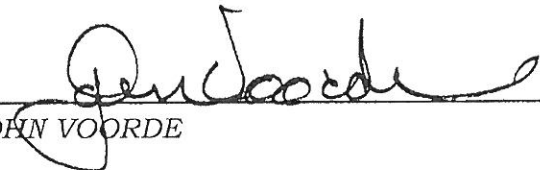


ORDINANCE No. 10165-12

Passed by the Common Council of the City of South Bend, Indiana _____

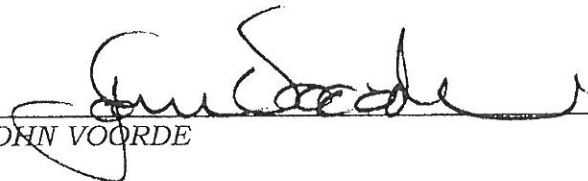
_____ June 25, 2012

Attest:  City Clerk
JOHN VOORDE

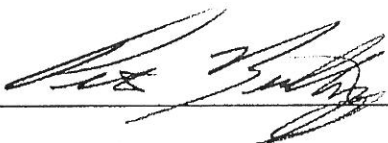
Attest:  President of Common Council

Presented by me to the Mayor of the City of South Bend, Indiana _____

_____ June 26, 2012

 City Clerk
JOHN VOORDE

Approved and signed by me 6-26 2012

 Mayor

ORDINANCE NO. 10165-12

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AUTHORIZING AND ESTABLISHING THE BOUNDARIES OF A
DOWNTOWN MUNICIPAL RIVERFRONT DEVELOPMENT PROJECT**

STATEMENT OF PURPOSE AND INTENT

To complement economic development efforts of cities and towns, the Indiana General Assembly enacted Ind. Code §7.1-3-20-16 (The "Act"). The Act allows the Indiana Alcohol and Tobacco Commission (ATC) to issue one-way, two-way and three-way nontransferable permits without regard to the ATC quota restrictions to restaurants located within an authorized Municipal Riverfront Development Project, funded in part with State and City money.

The St. Joseph River is among the City of South Bend's most beautiful and treasured assets, and the optimum utilization of this valuable resource was emphasized in the Central Development Area Development Plan (The "Plan") adopted by the South Bend Redevelopment Commission on May 10, 1985, and last amended December 28, 2010. Riverfront Development was also emphasized in the City Plan, and the East Bank Village Master Plan both of which called for optimum utilization of South Bend's Riverfront property.

Through its Resolution No. 4163-12, adopted on March 26, 2012, the South Bend Common Council expressed its interest in establishing a Municipal Riverfront Project. The Council further finds that adoption of a Municipal Riverfront Development Project is consistent with the Plan, and that over 22 Indiana cities and towns have designated a municipal riverfront project, resulting in the issuance of 130 riverfront licenses (ATC designated License No. 221-3) which have fostered economic development in these cities.

To encourage new restaurant proprietors to invest in the SBCDA, the South Bend Common Council determines that it is in South Bend's best interest to authorize and establish boundaries for a Municipal Riverfront Development Project in the downtown area, and to work with the City Administration to establish processes and procedures to permit such proprietors to apply to the ATC for a 221-3 Riverfront License.

This Ordinance identifies the boundaries of a Municipal Riverfront Development Project, as shown in a map attached as Exhibit "A", and the Council finds that these boundaries comply in all respects with the Act in that the designated area borders on at least one side of the St. Joseph River and the entire authorized real estate as legally described in Exhibit "B" is located within a redevelopment area established under Indiana law.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND as follows:

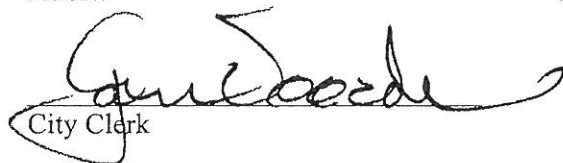
Section I. The area shown on the map attached as Exhibit "A" and described legally in Exhibit "B" is hereby designated as a Municipal Riverfront Development Project for the City of South Bend pursuant to the Act, and it meets all qualifications for such a Project under the Act.

Section II. The South Bend Redevelopment Commission is directed to develop policies and procedures for individuals, corporations, and business entities to apply for a Riverfront License pursuant to the Act and consistent with the regulations promulgated as a result of the Act.

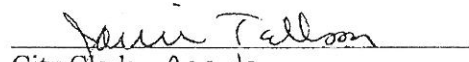
Section III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Attest:

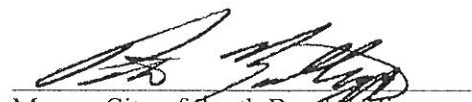

Member of the Common Council


City Clerk

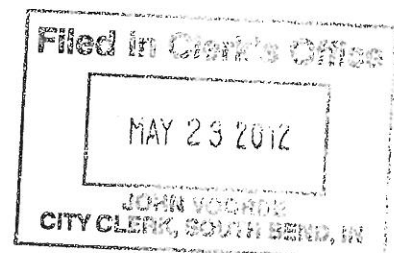
Presented by me to the Mayor of the City of South Bend, Indiana, on the
26th day of June, 2012, at 10:40 o'clock a. m.


City Clerk, Deputy

Approved and signed by me on the 26th day of June, 2012, at 4:30
o'clock p. m.


Mayor, City of South Bend, Indiana

529-12
1st READING
PUBLIC HEARING 6-25-12
3rd READING 6-25-12
NOT APPROVED
REFERRED
PASSED 6-25-12



TO THE COMMON COUNCIL OF THE CITY OF SOUTH BEND:

Your Committee of the Whole, to whom was referred:

BILL NO.

18-12 A BILL OF THE COMMON COUNCIL OF THE CITY OF
SOUTH BEND, INDIANA, AUTHORIZING AND
ESTABLISHING THE BOUNDARIES OF A DOWNTOWN
MUNICIPAL RIVERFRONT DEVELOPMENT PROJECT

Respectfully report that they have examined the matter and that in their opinion,
this bill is being recommended to the full Council with a favorable
recommendation.

This bill was heard by the Community and Economic Development Committee.

Karen L. White
Chairperson, Committee of the Whole



City of South Bend Common Council

441 County-City Building • 227 W. Jefferson Blvd
South Bend, Indiana 46601-1830

(574) 235-9321
Fax (574) 235-9173
<http://www.southbendin.gov>

Derek D. Dieter
President

June 4, 2012

Oliver J. Davis
Vice-President

Members of the Common Council
4th Floor County-City Building
South Bend, Indiana 46601

Karen L. White
Chairperson, Committee
of the Whole

Re: Bill No. 18-12 -- Proposed Ordinance to Establish a Municipal Riverfront Development Project

Tim Scott
First District

Dear Members of the Common Council:

Henry Davis, Jr.
Second District

On May 23, 2012, the documents to establish a "Municipal Riverfront Development Project" were filed with the Office of the City Clerk. On May 31, 2012, Interim City Attorney Aladean M. DeRose filed additional information related to Bill No. 18-12 with the Office of the City Clerk.

Valerie Schey
Third District

Fred Ferlic
Fourth District

The purpose of this letter is to officially add to the sponsorship of Bill No. 18-12, Council Members Tim Scott and Fred Ferlic.

David Varner
Fifth District

The original filing included the proposed ordinance whose intent is to "kick-start further economic development in the downtown by providing a recruitment tool to encourage quality eating establishments, entertainment, and cultural venues to locate within 1,500 feet of the river by making available lower cost non-transferable 3-way licenses that are not subject to the quota." *Indiana Code* § 7.1-3-20-16 allows for the creation of a Municipal Riverfront development area to be declared in blighted locations within 1,500 feet from a river's edge. The proposed ordinance is in line with our city's repeated desire to cultivate our river as an asset.

Oliver J. Davis
Sixth District

Derek D. Dieter
At Large

Gavin Ferlic
At Large

Resolution No. 4163-12, adopted on March 26, 2012 by the South Bend Common Council expressed its interest in establishing a Municipal Riverfront Project. Bill No. 18-12 would be the realization of this Resolution. With its passage, South Bend would join 22 Indiana cities and towns who have already designated a municipal riverfront project. They have resulted in the issuance of 130 riverfront licenses (ATC designated License No. 221-3) which have fostered economic development in these cities.

Karen L. White
At Large

Your favorable consideration is requested. Please do not hesitate to contact us if you need additional information.

Sponsorship Letter for Bill No. 18-12
June 4, 2012
Page 2

Most sincerely,



Council Member Gavin Ferlic
Common Council Member, At-Large



Council Member Tim Scott
1st District Council Member



Council Member Fred Ferlic
4th District Council Member

ORDINANCE No. 10178-12

Passed by the Common Council of the City of South Bend, Indiana

August 27, 2012

Attest: [Signature] City Clerk
JOHN VOORDE

Attest: [Signature] President of Common Council

Presented by me to the Mayor of the City of South Bend, Indiana

August 28, 2012

[Signature] City Clerk
JOHN VOORDE

Approved and signed by me AUGUST 30 2012

[Signature] Mayor

ORDINANCE NO. 10178-12

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AMENDING THE LEGAL DESCRIPTION OF ORDINANCE NO. 10165-12
WHICH IDENTIFIED THE BOUNDARIES OF A RIVERFRONT DEVELOPMENT
PROJECT AREA UNDER IND. CODE 7.1-3-20-16**

STATEMENT OF PURPOSE AND INTENT

On June 25, 2012 the South Bend Common Council passed Ordinance No. 10165-12 which identified the boundaries of a Riverfront Development Project for purposes of allowing special alcoholic beverage permits within this Riverfront area, under Ind. Code § 7.1-3-20-16 (The Act). This ordinance became effective on June 26, 2012 when it was signed by Mayor Pete Buttigieg.

Ordinance No. 10165-12 was intended to include within its boundaries the real estate located at 301 and 305 South Michigan Street, as well as other parcels which consist of partial blocks, but it was recently discovered that, due to scrivener's error, such realty was not included in the legal description in Exhibit "B" to that Ordinance. This Ordinance rectifies that legal description oversight, and the Council finds that the newly described area is in a redevelopment area and that the amended legally described area meets all the requirements to qualify under The Act.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA as follows:

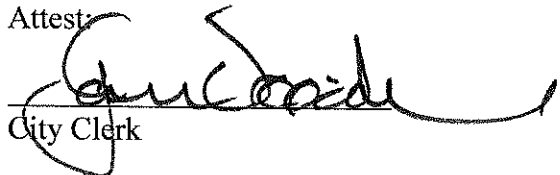
SECTION I. Exhibits "A" and "B" to Ordinance No. 10165-12 which identify real estate within the boundaries of the Riverfront Development Project Area created by that Ordinance are hereby amended as set forth in "Amended Exhibits 'A' and 'B'," attached hereto and incorporated herein, which Amended Exhibits shall comprise the City's downtown Municipal Riverfront Development Project Area .

SECTION II. Because it was the intent from enactment of Ordinance No. 10165-12 that the defined property be included within the original Riverfront Development Project Area ordinance, this ordinance upon passage by the Common Council and approval by the Mayor, shall be effective retroactive to June 26, 2012, the effective date of Ordinance No. 10165-12.

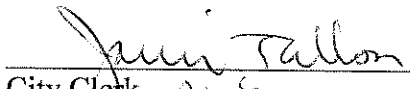


Member, South Bend Common Council

Attest:


City Clerk

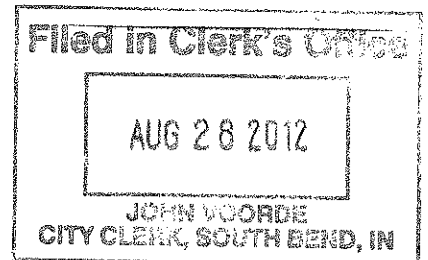
Presented by me to the Mayor of the City of South Bend, Indiana on the 28th day
of Aug, 201~~2~~¹² at 2:40 o'clock p. m.


City Clerk, Deputy

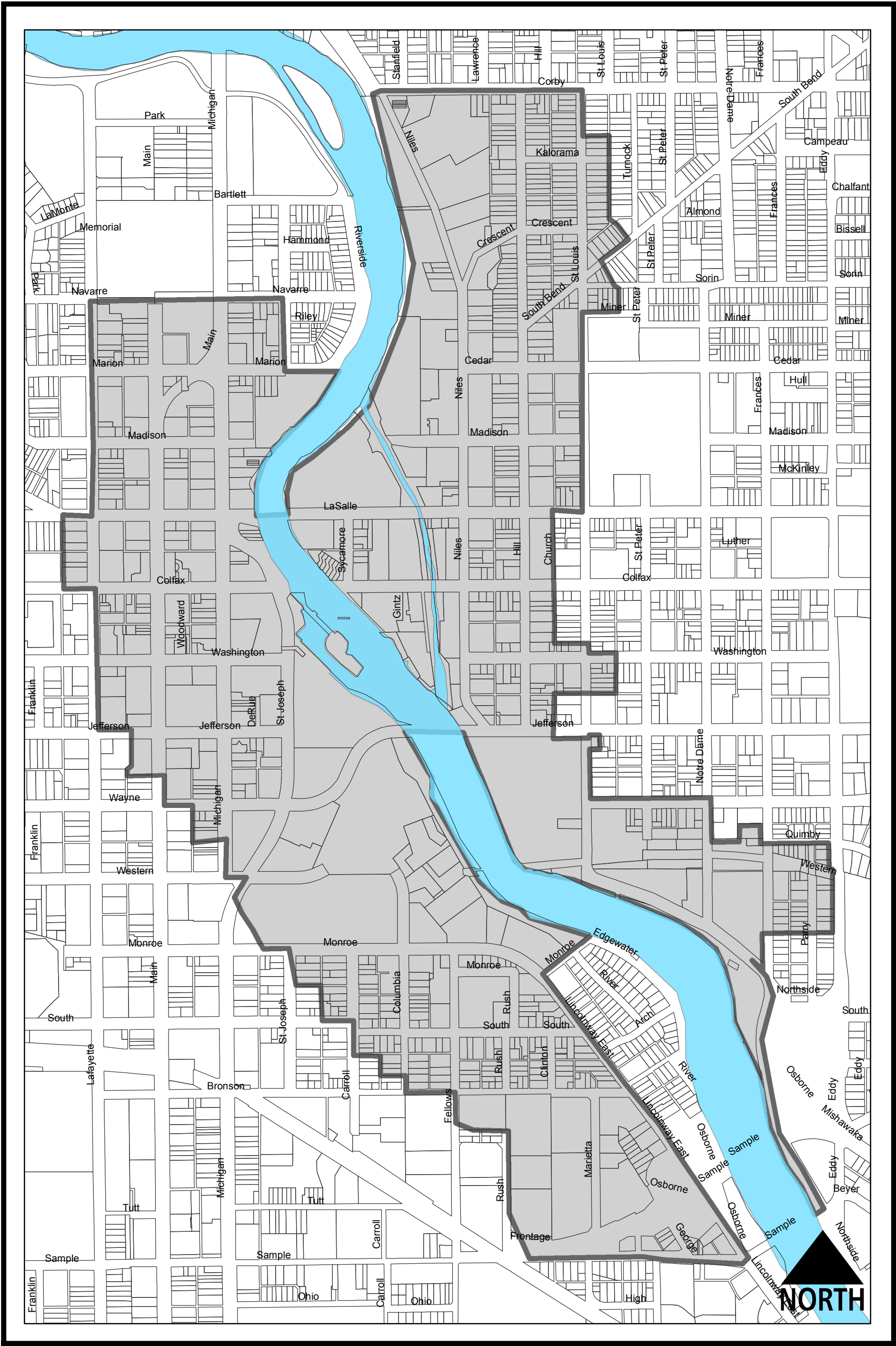
Approved and signed by me on the 30 day of AUGUST, 201~~2~~¹² at 5:00 o'clock p. m.


Mayor, City

1st READING 8-13-12
PUBLIC HEARING 8-27-12 as substituted
3rd READING 8-27-12 as substituted
NOT APPROVED
REFERRED
PASSED 8-27-12 as substituted



South Bend Downtown Municipal Riverfront Development Project District



Appendix B

Legal Description for the Downtown Municipal Riverfront District

Beginning at the intersection of the Centerline of Corby Boulevard with the Centerline of St. Louis Boulevard; thence South along the Centerline of said St. Louis Boulevard a distance of 247.5 feet more or less; thence East 193 feet more or less to a point on the East right-of-way of a North-South Alley; thence South along said East line 630 feet more or less to a point of intersection with a 14-foot wide East-West Alley; thence Southeasterly a distance of 228 feet more or less to a point of the South right-of-way line of South Bend Avenue; thence Southwesterly along said South line a distance of 250 feet more or less to a point which is 142.12 feet more or less Northeasterly of the East line of St. Louis Boulevard; thence Southeasterly a distance of 128 feet more or less to the North right-of-way line of Sorin Street; thence East along said North line a distance of 25 feet more or less; thence South a distance of 238 feet more or less to the South right-of-way line of Miner Street; thence West along said South line a distance of 237 feet more or less to the Centerline of St. Louis Boulevard; thence along said Centerline a distance of 1322.5 feet more or less to the Centerline of LaSalle Avenue; thence West along said Centerline to the North projected Centerline of the first Alley East of Hill Street; thence South, along said projected Centerline to a point that is 66 feet North of the North right-of-way line of Washington Street; thence East to the East right-of-way line of St. Louis Boulevard; thence South along said East right-of-way line to the North right-of-way line of Washington Street; thence East on said North right-of-way line to the East right-of-way line of the first North-South Alley East of St. Louis Boulevard; thence South along said East right-of-way line of Alley to the South right-of-way line of the first East-West Alley South of Washington Street; thence West along said South right-of-way line of said Alley to the centerline of the first 14-foot North-South Alley lying East of Hill Street; thence South along said Centerline of Alley to the South right-of-way line of Jefferson Boulevard; thence East along said South right-of-way line to a point 51 feet East of the East right-of-way line of St. Louis Boulevard; thence South 72 feet; thence West 51 feet parallel with and 72 South of the South right-of-way line of Jefferson Boulevard to the East right-of-way line of St. Louis Boulevard; thence South along said East right-of-way line to the North right-of-way line of Wayne Street; thence East along said North right-of-way line of Wayne Street to the East right-of-way line of Notre Dame Avenue; thence South along said East right-of-way line to a point on the East right-of-way line of Notre Dame Avenue which is South 205 feet from the South right-of-way line of Wayne Street; thence East 173 feet; thence North 102.5 feet; thence East 171.07 feet to the West right-of-way line of Frances Street; thence South along said West line 102.5 feet to a point of intersection with the North right-of-way line of Quimby Street extended West; thence East along the North right-of-way line of Quimby Street and its Westerly extension to the West right-of-way line of Eddy Street; thence South along said West line to the South line of the Plat of Parry's Addition; thence West along the said South line and the South line of the Plat of Beck's 1st Addition to the West right-of-way line of Frances Street; thence South along said West line to the Northeasterly right-of-way line of Northside Boulevard; thence Southeasterly along said Northeasterly right-of-way line to the South right-of-way line of Sample Street; thence Southwesterly along said South right-of-way line to the Centerline of the St. Joseph River; thence meandering Northwesterly along said Centerline to the Easterly projection of the Southerly right-of-way line of Monroe Street; thence Southwesterly along said projection and the Southerly right-of-way line of Monroe Street to the Easterly right-

of-way line of Lincolnway East (U.S. Highway #933); thence Southeasterly along said Easterly right-of-way line to the South right-of-way line of Sample Street; thence West along said South right-of-way line to a point which is East 137.5 feet from the Centerline line of Rush Street projected South; thence North 300 feet; thence West 137.5 feet to said Centerline line of Rush Street; thence along said Centerline for the next two (2) courses, North 530 feet and West 248 feet; thence North 100 feet; thence West 100 feet to the Centerline of Fellows Street; thence North along said Centerline 210 feet to the Centerline of Bronson Street; thence West along said Centerline of Bronson Street to the Centerline of Columbia Street; thence North along said Centerline of Columbia Street a distance of 94 feet more or less; thence West a distance of 183.25 feet more or less to a point of intersection with the Centerline of a 14-foot wide North-South Alley; thence North along said Centerline a distance of 148 feet more or less to a point of intersection with the Centerline of a 14-foot wide East-West Alley; thence West along said Centerline a distance of 182.95 feet more or less to the Centerline of Carroll Street; thence North along said Centerline a distance of 212 feet more or less to a point of intersection with the Centerline of South Street; thence West along said Centerline a distance of 213.25 feet more or less to a point of intersection with the Centerline of a 14-foot wide North-South Alley extended South; thence North along said Centerline and its Southerly extension a distance of 246.25 feet more or less to a point of intersection with the Centerline of a 14-foot wide East-West Alley; thence West along said Centerline a distance of 213.25 feet more or less to the Centerline of St. Joseph Street; thence North along said Centerline a distance of 246.25 feet more or less to the Centerline of Monroe Street; thence West on the Centerline of Monroe Street to a point that is 250 feet East of the Centerline of Michigan Street; thence North to the Centerline of Western Avenue; thence West on the Centerline of Western Avenue to the Centerline of Michigan Street; thence North on the Centerline of Michigan Street to a point which is 152 feet South of the Centerline of Wayne Street; thence West parallel with and 152 feet South of said Wayne Street Centerline 221.5 feet to the Centerline of a 14 ft. wide North-South Public Alley; thence North along the Centerline of said Public Alley 152 feet to the Centerline of said Wayne Street; thence West on the Centerline of Wayne Street to the Centerline of Main Street; thence North on the Centerline of Main Street a distance of 205 feet more or less to a point of intersection with the Centerline of a 14-foot wide East-West Alley extended East; thence along said Centerline and its Easterly extension a distance of 221.5 feet more or less to a point of intersection with the Centerline of a 14-foot wide North-South Alley; thence North along said Centerline a distance of 246.25 feet more or less to the Centerline of Jefferson Boulevard; thence West along said Centerline a distance of 213.25 feet more or less to the Centerline of Lafayette Boulevard; thence along said Centerline to the Centerline of Colfax Avenue; thence West on the Centerline of Colfax Avenue to a point of intersection with the Centerline of the first North-South Alley West of Lafayette Boulevard projected South; thence North along said centerline, in certain places being sometimes known as St. James Court, to the North right-of-way line of La Salle Avenue; thence East along said North right-of-way line to the West right-of-way line of Lafayette Boulevard; thence North along the said West right-of-way line to the Centerline of Navarre Street; thence East along the Centerline of Navarre Street to a point of intersection with the East right-of-way line of St. Joseph Street projected North; thence South along said projection and the East right-of-way line of said St. Joseph Street to the North right-of-way line of Marion Street; thence East along said North right-of-way and its projection to the East to the Centerline of the St. Joseph River; thence Northeasterly along the Centerline of the St. Joseph River to a point of intersection with the Centerline of Corby Boulevard projected West; thence East along said

projected Centerline and the Centerline of Corby Boulevard to the Point of Beginning.
Containing 484.50 acres more or less.

Revised 8-23-12.